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SUMMARY RECORD OF THE 2nd MEETING

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on Monday, 24 April 1995, at 10 a.m.

Chairman: Mr. RAMAKER (Netherlands)

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The meeting was called to order at 10.20 a.m.

EXCHANGE OF VIEWS (continued)

1. Mr. BARRETTO (Director, Division of Technical Cooperation Programmes, International Atomic Energy Agency (IAEA)) said that IAEA mechanisms for the transfer of technology consisted of its regular programme (activities relating to standards, codes of practice, guides, seminars, research contracts and laboratories, together with information exchange through a multitude of meetings, symposia and publications disseminated to member States) and the technical cooperation programme. In 1994, the latter programme had assisted 88 countries, maintained 1,192 ongoing projects, provided the services of 3,205 experts, trained 2,785 persons and supplied equipment and material (3,484 requests). The total value of the programme had increased in that year to more than $53 million, the bulk of it financed from voluntary contributions to the Technical Assistance and Cooperation Fund (84.8 per cent); it had also relied on extrabudgetary resources (9.3 per cent), in-kind contributions (3.3 per cent) and funds from UNDP (2.6 per cent). Since 1970, the resources for technical cooperation had increased, although in recent years the level had stabilized. In 1992, a marked decrease of resources had occurred owing to the devaluation of the currency of one of the principal programme donors. For a number of years, around 1975, a large part of the programme had been financed with UNDP funds, but towards the 1990s, the share of those funds had declined and it currently represented a mere 2 per cent. The probable explanation was that those then participating in technical cooperation had been interested in nuclear energy projects or other costly activities and through IAEA had utilized indicative planning figure funds, which were resources provided by UNDP for development; with the passage of the years, those projects had lost some of their priority in the developing countries and the funds from UNDP had accordingly decreased.

2. The technology transfer programme included the following activities: nuclear energy, nuclear fuel cycle, radioactive waste management, food and agriculture, human health, industry and earth sciences, physical and chemical sciences, radiation protection, safety of nuclear installations and direction and support. In 1994, the sectors which had received most of the resources had been food and agriculture (22.5 per cent), physical and chemical sciences (17.3 per cent) and human health (13.2 per cent). During the period 1990-1994, however, when a total of $241 million had been allocated, safety activities as a whole (radiation protection, safety of nuclear installations and radioactive waste management) had received most of the funds. In terms of regions, the distribution of resources had been relatively balanced; it was not possible to predict whether that trend would be maintained, since IAEA responded to the requests of States members from various regions. It also financed interregional activities (for example, training courses) in which all member States were eligible to take part. In terms of components, the bulk of the assistance represented equipment, services of experts, training and fellowships. The share of resources devoted to training per se was approximately equivalent to that devoted to equipment, which showed that the programme was relatively balanced from that standpoint also.

3. The requirements for participation in the technical cooperation programme were to be a member State of IAEA and to conclude an agreement with IAEA for the provision of assistance. The latter requirement was based on the revised guiding principles and general operating rules to govern the provision of technical assistance by IAEA and the revised supplementary agreement concerning the provision of technical assistance by IAEA to individual Governments, under which all technical assistance projects were subject to applicable IAEA safety standards and measures. The Government undertook to ensure that the assistance received would be used solely for peaceful applications of atomic energy. In addition, the IAEA safeguards were applied wherever necessary to technical cooperation projects. The physical protection of nuclear facilities, equipment and materials relating directly to the IAEA technical assistance was the responsibility of the recipient Government. That was an extremely important point, since all the equipment provided to member States was the property of IAEA until it was transferred, the transfer taking place after the project was terminated or in some cases midway through the project. In recent years, IAEA had been paying increased attention to physical protection, especially in view of the current traffic in nuclear material, and it had planned a major programme to prepare member States by means of training, the establishment of infrastructure and the supply of equipment to carry out their own physical protection activities.

4. A major achievement of IAEA since 1988 had been to secure the signing by almost all the recipients of technical assistance of the revised supplementary agreement. Those who had not signed were new member States, whose signing was currently being negotiated. The number of member States of IAEA which were parties to the Non-Proliferation Treaty had increased spectacularly in recent years; only very few were currently not parties to the Treaty. In providing assistance and cooperation, IAEA did not take into account whether the member State was a party or not to the Treaty when it came to resources from the Technical Assistance and Cooperation Fund; resources were allocated on the basis of requests from member States and evaluations and recommendations received from the technical divisions. With respect to extrabudgetary contributions, however, the donor countries decided whether those resources would go only to countries which were parties to the Treaty. Not all the donors imposed such a requirement; the majority did so, however, and IAEA complied with their instructions. In the research contract programme, which was financed from the regular budget, not the technical cooperation budget, the allocation of funds varied according to whether countries were parties to the Treaty or not, even though the resources in question were being provided to individuals, not Governments.

5. Various trends were observable in the technical assistance programme: needs exceeded resources, regional cooperation was expanding and concern about nuclear safety and environmental protection was increasing. Both pledges and actual contributions had been decreasing, as had the UNDP contribution, while the number of requests for projects and the size of projects had been increasing. Income had declined since 1984 and the target set by member States and endorsed by the General Conference had not been reached. Approximately 60 per cent of the projects submitted by member States were financed from the Technical Assistance and Cooperation Fund. Another 20 per cent should be financed in principle from extrabudgetary funds but in fact, owing to a lack of

funds, only 10 per cent were catered for. The financing of the remaining 20 per cent was not being recommended.

6. Within the framework of IAEA, there were three programmes to catalyse cooperation among the member States of the developing regions: the Regional Cooperative Agreement for Research, Development and Training related to Nuclear Science and Technology (RCA) (for East Asia and the Pacific region), the Regional Cooperative Agreement for the Development of Nuclear Science and Technology in Latin America (ARCAL), and the Africa Regional Cooperative Agreement for Research, Development and Training (AFRA). Those regional programmes had produced satisfactory results, especially in Africa and Asia, as was demonstrated by the rapid increase in the number of participating countries.

7. Interest in nuclear safety and environmental protection was growing as nuclear applications were no longer confined to research institutions but had spread to agriculture, industry, medicine and other fields. In order for public opinion to accept those applications, specific requirements must be met. IAEA was therefore examining the projects submitted in terms of worker safety and possible hazards to the environment.

8. With a view to the continuing promotion of nuclear energy and its applications in developing member States, IAEA was carrying out transfer of technology activities reinforced by health and safety standards; project safeguards; guidelines and codes of practice; and the relevant international conventions. IAEA had machinery to formulate policy, obviate nuclear proliferation and monitor security, including the periodic policy review seminars, the Board of Governors and the Technical Assistance and Cooperation Committee, which considered individual programmes. IAEA provided a unique instrument for promoting the peaceful uses of nuclear energy under article IV of the Treaty. There were many opportunities to expand the scope of technology transfer if the level of resources could be made to match demand. In order to improve cooperation and strengthen technology transfer, IAEA required increased cooperation from the authorities of the recipient countries and the growth of extrabudgetary contributions.

9. Mr. AKAU (Japan) said that there was a disturbing gap between technical assistance goals and the contributions of donor countries. Accordingly, an informal working group had been formed to consider the matter and to highlight how important it was that donor countries should fully honour their pledges.

10. Mr. PAPADIMITROPOULOS (Greece) asked whether the reduction in IAEA technical assistance was a reflection of a lack of resources or the assistance being given in parallel by other international organizations, such as the World Health Organization (WHO) in respect of nuclear medicine projects, and the Food and Agriculture Organization of the United Nations (FAO) in respect of agricultural projects.

11. Mr. BARRETTO (Director, Division of Technical Cooperation Programmes, International Atomic Energy Agency) said that IAEA was concerned solely with the nuclear component of programmes in countries, and, in order to avoid duplication, cooperated with other organizations such as FAO, WHO and UNEP. He

considered it positive that Japan had referred to the need for member States to achieve established goals so that the IAEA programme could be fully implemented.

12. Mr. COOK (New Zealand) said that his country, which did not possess nuclear weapons, had decided that nuclear power had no place in its economic development. Although New Zealand made use of sophisticated nuclear technology in medical, industrial and agricultural applications, it was dependent on other countries for the supply of basic resources such as isotopes, and therefore shared some common interests with developing countries in connection with the implementation of article IV, one of the central articles of the Treaty. Each country had a sovereign right to decide for itself whether or not to participate in the peaceful uses of nuclear energy. New Zealand reaffirmed its commitment to the undertaking made by all States parties to facilitate and cooperate in the transfer of nuclear technology for peaceful purposes. The non-proliferation regime provided for in the Treaty had generated the climate of confidence essential to international cooperation in that domain. One measure of the success of the Treaty was that all members, and not just the limited number of countries which had opted for large-scale nuclear-power development, could benefit from the exchange of nuclear technology. New Zealand both benefited from and contributed to such cooperation. For example, New Zealand had recently become a member of the Regional Cooperative Agreement for Asia and the Pacific (RCA), an important mechanism for sharing experience in research and development. Moreover, his Government was making a financial contribution to the joint UNDP/RCA/IAEA project to strengthen technology and support environmentally sustainable development, and would host the mid-term review meeting for the project in July. To facilitate cooperation within RCA, New Zealand had appointed national coordinators in various areas of research and hoped to collaborate with nuclear science organizations in the region in such sectors as hydrology, pollution monitoring, geothermal development and control of industrial processing. New Zealand had expertise in the use of isotopes for geothermal development. In that connection the Auckland Institute of Geothermal Studies was providing training for students around the world. New Zealand had also supplied technical experts on radioactive and stable isotope applications to a number of countries in Central America and Asia.

13. In the technical cooperation programme administered by IAEA, New Zealand had noted a move away from support for the promotion of nuclear power and an increased focus on environmental protection, sustainable development and assistance to least developed countries in terms of meeting such basic human needs as health, food security and fresh water supplies. His delegation fully supported that trend.

14. One area of critical importance in the peaceful uses of nuclear energy was the need to maintain the highest standards of safety in nuclear installations. In that regard he welcomed the conclusion of the International Convention on Nuclear Safety and urged all nuclear-power States to ratify it. Another issue of considerable concern in the countries of the South Pacific was the transport through the region of plutonium and nuclear waste. While the shipments met current safety standards, consideration should be given to measures that would complement the code for the safe carriage of radioactive material by sea of the International Atomic Energy Agency and the International Maritime Organization. He urged all countries involved in the transport of nuclear material by sea to

ensure the highest possible level of safety. He also welcomed the start of the process of negotiating an international convention on the safe management of nuclear waste; the amendment of the London Dumping Convention; and the proposal for a diplomatic conference in 1996 in respect of a convention on liability for nuclear damage.

15. New Zealand believed that article IV had been implemented satisfactorily and looked forward to cooperation that would enable more countries to benefit from nuclear technology. None of that would be possible without the climate of confidence created by the Non-Proliferation Treaty, which provided the essential framework for the transfer of technology for peaceful purposes.

16. Mr. PARFAIT (France), speaking on behalf of the European Union, noted the active participation of the Union in international cooperation for the peaceful uses of nuclear energy under optimum conditions of safety, as well as its general, sustained policy of development assistance, including technical cooperation aimed at strengthening the institutional capacity of recipient countries, particularly developing countries, at facilitating the transfer of appropriate technology to such countries, and at promoting their integration into the world economy. The European Union had always viewed itself as having particular responsibility in terms of the peaceful uses of nuclear energy, since one third of the world output of nuclear energy came from its member countries.

17. The member States of the European Union played a fundamental role in the funding of the technical assistance projects executed under IAEA auspices. The Union's total contribution, which had increased from $11.5 million in 1990 to $14.1 million in 1994, represented more than one third of the resources of the Technical Assistance and Cooperation Fund and was complemented by various extrabudgetary contributions made voluntarily by various member States for the financing of specific Agency projects. The European Union also provided basic underpinning for the successful IAEA technical cooperation programme, which gave priority to the application of nuclear technology to food, agriculture, the physical and chemical sciences and industry.

18. In bilateral terms, the member States of the European Union were cooperating in various ways with developing countries and a number of them had concluded bilateral cooperation agreements on the peaceful uses of nuclear energy. The management of radioactive waste had been the subject of particular attention in countries with nuclear power stations, especially the countries of central and eastern Europe. There had been considerable development of the application of nuclear energy in medicine, agriculture and food, and fellowships had been made available for developing countries, to which experts had also been sent. Every effort had been made to make skilled technical staff available to developing countries, in addition to which the establishment of nuclear research centres was being encouraged. The question of nuclear safety was broached in all the association agreements concluded with the countries of central and eastern Europe and funding was provided through the nuclear safety account of the European Bank for Reconstruction and Development.

19. If cooperation was not on a larger scale, it was not because of export controls but for other reasons. For example, a lack of interest on the part of some countries in the nuclear sector owing to the existence of other, more

economical, sources of energy. Export controls were an obligation for all parties under the Treaty and were enshrined in national legislation. They were based on transparent rules issued by IAEA and established by consensus among the Suppliers Group on the basis of objective criteria applicable to all, including the members of the Group. The Suppliers' regime also provided an essential guarantee that the Treaty would be respected and that cooperation in the peaceful uses of nuclear energy would take place to the benefit of the developing countries. As a result of the controls, exchanges were the norm and restrictions the exception. Only minimal exports were rejected and restrictions affected only three countries: Iraq, the Libyan Arab Jamahiriya and the Democratic People's Republic of Korea. The export controls were not secret; their aim was not to create exporters' cartels but to develop the transfer of nuclear technology with guarantees of its use for peaceful purposes. They only obstructed exchanges with countries within the international community that had placed themselves beyond the pale.

20. The basic concern was to promote cooperation for the benefit of all countries that respected their non-proliferation commitments. In that regard the indefinite and unconditional extension of the Treaty was of fundamental importance. Otherwise a lack of trust would re-emerge, the progress made in terms of cooperation would be undermined, and States which respected their commitments would be penalized. Indefinite extension would establish the trust essential to continue with such cooperation in the service of peace and development.

21. Mr. WESTDAL (Canada) said that his country was a major nuclear supplier and exporter of nuclear-related goods, from natural uranium to the CANDU nuclear-power reactor. Nuclear energy benefited the environment: carbon dioxide emissions from the electricity sector would double if the current nuclear contribution had to be generated from fossil fuels. The peaceful use of nuclear energy depended on the assurances provided by the Non-Proliferation Treaty. The Canadian public would not countenance use of nuclear energy or exports without assurances that such activities took place within an enduring non-proliferation framework. The Canadian commitment to nuclear non-proliferation was long-standing and deeply entrenched. In the past, Canada had terminated or restricted nuclear cooperation and trade with countries unwilling to make a legally binding commitment. Political, economic and technical factors conditioned such cooperation. The Non-Proliferation Treaty did not obligate every State party to cooperate with every other; bilateral cooperation remained a sovereign national decision. Canada's bilateral nuclear cooperation network was widespread and expanding. Its bilateral cooperation agreements contained a number of reciprocal provisions relating to retransfers to third parties, situations in which IAEA could not apply safeguards agreements, and physical protection. As a major nuclear supplier, Canada required full-scope safeguards as a condition of supply, and looked to the Conference to endorse that policy again.

22. IAEA offered a wide range of assistance to its members to enable them to use nuclear energy for their economic and social development. It examined the economic and environmental advantages of nuclear energy as a source of power. Its safety missions provided valuable independent advice to Governments. Canada strongly supported IAEA efforts to promote the role of nuclear power in

sustainable development, and hoped that the Conference would endorse those efforts. IAEA devoted considerable resources to the issue of nuclear safety. Canada welcomed the Convention on Nuclear Safety, and called on States which had not yet done so to sign it. The Convention complemented other work of IAEA and would benefit all States. Similarly, Canada supported the early completion of a waste-management convention.

23. Canada made a regular voluntary contribution to the IAEA Technical Assistance and Cooperation Fund, which it had maintained despite fiscal austerity, and was pleased with the improvements in the conduct of technical assistance activities, particularly those resulting from the Fund's September 1994 policy seminar. The Fund had been successful, but the Conference should be cautious in calling for massive increases in contributions at a time of financial restraint in international organizations. Canada's support for the role of IAEA was reflected in its active participation. For example, it participated in IAEA technical meetings and missions, and hosted IAEA interregional training courses. In that way, it shared information on a wide range of topics, all of which helped to fulfil the spirit and objectives of article IV.

24. Mr. SHA Zukang (China) said that his country had observed the relevant provisions of the Treaty by engaging in cooperation with developing and developed countries as well as with IAEA, and by adhering to the following principles: exports should be exclusively for peaceful purposes; they should be subject to IAEA safeguards; and they should not be retransferred to a third party without China's prior consent. In addition, China required the recipient country to take effective measures to ensure the protection of nuclear materials imported from China.

25. China actively engaged in bilateral cooperation. It had concluded governmental agreements on the peaceful uses of nuclear energy with 14 countries, and carried out fruitful cooperation, which included the import of some advanced nuclear-power technologies and equipment, and hoped to expand and enhance that cooperation. China also benefited from exchange and cooperation with IAEA in areas of nuclear-power-plant construction, nuclear safety and radiation protection, and nuclear-technology application. In doing so, China had, to the best of its capacity, contributed to the IAEA Technical Assistance and Cooperation Fund. In 1994, China had made an extra contribution of $1 million for the technical cooperation model projects of IAEA.

26. It was the inalienable right of States parties, especially the developing countries, to use nuclear energy for peaceful purposes and to carry out international cooperation in that regard. That was an important means to achieve a balance between rights and obligations under the Treaty. International cooperation was of primary importance, given that countries were at varied stages of economic, scientific and technological development and that the exploitation of nuclear energy put high demands on infrastructure, financing, technology and expertise. Hence, the promotion of international cooperation in the peaceful uses of nuclear energy, as a major objective of the Treaty, should be accorded the same importance as the other provisions.

27. The prevention of the proliferation of nuclear weapons should not impair the exercise of the legitimate right of the developing countries to the peaceful uses of nuclear energy, and should not in any way impede international cooperation in that respect. The unreasonable restrictions imposed on the transfer of nuclear technology on the pretext of preventing the proliferation of nuclear weapons should be removed, and assistance should be given to developing countries in mastering technologies for using nuclear energy for peaceful purposes.

28. IAEA had an important role to play in promoting international cooperation in the peaceful uses of nuclear energy, and that role should be further strengthened. States parties should readily make financial and technical contributions to IAEA and its programmes. China hoped that the States parties concerned would demonstrate their political will and take practical steps to strengthen international cooperation in the peaceful uses of nuclear energy with a view to the full and effective implementation of the Treaty.

29. Mr. ROSU (Romania) said that the non-proliferation regime was premised upon the right of all nations to acquire and use nuclear materials for peaceful purposes, but subject to safeguards that would prevent those materials from being diverted to nuclear-weapons programmes. The Treaty created an irreplaceable framework for expanding the peaceful uses of nuclear energy among States committed to non-proliferation. Previous review conferences had considered commercial and aid-assisted activities between States parties in the peaceful uses of nuclear energy to be relevant to article IV of the Treaty. IAEA, as the major international organization with a mandate in that area, provided a unique mechanism for the furtherance of the utilization of nuclear energy for peaceful purposes in medicine, agriculture and industry as well as power generation. In addition, its technical cooperation had been instrumental in creating in many developing countries which were parties to the Treaty a scientific infrastructure aimed at enabling them to benefit fully from the applications of nuclear technology.

30. Most States parties to the Treaty were developing countries that lacked resources for civilian nuclear programmes and for preventing clandestine nuclear-weapons programmes. The Conference should urge all States parties to declare that they would honour their commitments under article IV to provide assistance to developing countries. Furthermore, IAEA and the nuclear-weapon States should provide greater technical assistance and financial support for the safety and security of civilian nuclear facilities. The Conference should declare that no potential benefits from the peaceful applications of nuclear explosions were adequate to justify the serious proliferation risks they entailed. Romania fully supported the activity of IAEA aimed at achieving an agreement on international liability for nuclear damage. At the same time, taking into account the danger of radioactive releases, the final document of the Conference should include an appeal to all States to refrain from armed attacks against nuclear facilities.

31. The non-proliferation regime included national measures, such as export controls, which were designed to make development of nuclear weapons more difficult. States should not undercut their own security by aligning themselves with campaigns against such controls. Arrangements to control dual-use nuclear

exports contributed to the implementation of Treaty obligations and complemented the verification agreements. Furthermore, export licensing arrangements created an environment of confidence for the operation of legitimate nuclear trade. In 1992, the Nuclear Suppliers Group decided that full-scope safeguards should be a condition for supply; that had since become the norm in nuclear trade and was applied by almost all suppliers. Romania was a member of the Zangger Committee and of the Nuclear Suppliers Group, and it considered that the Conference should stress the important role played in the supply field by the export control regimes; it called for a strengthening of those regimes through the broadest possible adherence to them.

32. Romania had done major research work in various applications of nuclear technology. In the implementation of its nuclear-power programme, which was given high priority, it relied to a great extent on highly qualified foreign specialists and on international cooperation. Participation in the IAEA technical cooperation programme, which was a powerful tool for the transfer of nuclear know-how, had helped Romania strengthen its nuclear capability and promote a large number of applications in vital sectors such as industry, agriculture, medicine, environmental protection and hydrology.

33. Mr. AYATOLLAHI (Islamic Republic of Iran) said that during the negotiations on the Treaty on the Non-Proliferation of Nuclear Weapons it had been felt that a principal element of the Treaty would be to contribute to the technological development of non-nuclear-weapon States that accepted its obligations. It had been understood that non-nuclear-weapon States must have not only unrestricted but even preferential access to technology and material for the peaceful use of nuclear energy. Once the Treaty was concluded, a group of member States, including the supplier States, meeting in the Zangger Group, had drawn up a list of materials and equipment suggesting that any non-nuclear-weapon State that was not party to the Treaty and that desired to acquire any of the items on the list should be required to agree to safeguards. However, in 1977, the supplier States decided to apply export controls to all non-nuclear-weapon States, and they later added dual-use material, equipment and technology to the list of controlled and restricted items. Non-nuclear-weapon developing States opposed such measures, arguing that they eliminated the distinction between non-nuclear-weapon States that were parties to the Treaty and those that were not. Furthermore, the introduction of the term "dual use" resulted in additional limitations on the transfer of material, equipment and technology that was commonly used in predominantly peaceful areas. Accordingly, the developing countries highlighted, at all relevant conferences, the need for full implementation of article IV and for the lifting of existing restrictions on States that were parties to the Treaty.

34. The problem of the acquisition of nuclear weapons by certain countries that were not parties to the Treaty would not be resolved either by extending vertical limitations to all dual-use material and equipment or by extending horizontal limitations to include States parties to the Treaty. Ways must be found to remove all existing export control regimes and to create transparent international mechanisms with full participation of all States parties to the Treaty in the decision-making process, so as to ensure compliance with the Treaty. To that end his delegation proposed that a committee be established within the context of the Non-Proliferation Treaty. The committee would

formulate specific measures to ensure the full access of all non-nuclear-weapon States parties to the Treaty, without discrimination, to nuclear material, equipment and technology for peaceful purposes; it would find means of strengthening existing safeguards with a view to enhancing international efforts to curb the proliferation of nuclear weapons and would formulate guidelines which would replace the existing unilateral arrangements in the field of the transfer of nuclear material, equipment and technology for peaceful purposes; moreover, the Committee would be open to all States parties to the Treaty and would meet regularly; the first meeting, which might finalize the organizational and procedural questions, could be scheduled by the current Conference.

35. At the same time, discussions on the strengthening of IAEA safeguards should continue. Some suggestions for expanding existing safeguards had already been accepted and other suggestions had been made for strengthening their effectiveness. Those measures could enhance confidence if they were properly accommodated in safeguard agreements of the type outlined in document INFCIRC/153; if they could provide concrete results regarding verification of undeclared facilities within the territory or under the jurisdiction of States parties to the Treaty; and if the findings and conclusions of the strengthened IAEA safeguards system could be fully utilized to enhance international cooperation in the field of the peaceful applications of nuclear energy as stipulated in article IV.

36. Iran believed that the role of IAEA should be enhanced in a number of areas. It was essential to recognize, once again, that the Agency was the sole body responsible for verifying that States parties did comply with the Treaty. In the area of technical cooperation, IAEA had an important role to play; it could help the developing countries secure financing for nuclear-power projects to meet their basic energy requirements. In that connection, attention should be drawn to the proposal concerning the establishment of a financial assistance fund. The activities of IAEA regarding safeguards should not restrict the allocation of Agency resources to the promotion of technical cooperation.

37. Finally, he underscored the importance of prohibiting attacks on nuclear facilities. Since the Conference on Disarmament had, unfortunately, been unable to make progress in that area, the current Conference should provide new impetus for the conclusion of a legally binding international agreement to prohibit attacks on nuclear installations under IAEA safeguards.

38. Mr. PEDRAJA (Mexico) said that the Non-Proliferation Treaty sought to establish a complex and delicate network of balances, political, legal and, above all, regarding elementary justice and equity, between the aspirations of the various peoples regarding the positive utilization of nuclear energy. The current Conference provided an outstanding opportunity to move ahead with the strengthening of the non-proliferation regime, some of whose most constructive aspects were those corresponding to the application of technology for the common good, as outlined in article IV.

39. Mexico participated actively in the various IAEA forums, supporting efforts to facilitate international cooperation for the effective utilization of nuclear energy and enhancement of the efficient use of the scarce resources allocated for that purpose. In that context, he was concerned that the growing

operational needs for safeguards was resulting in a further reduction of the amounts allocated for the priority positive aims of the majority of States. The necessary enhancement of protective and security systems in nuclear installations called for effective international cooperation and would be better guaranteed to the extent that the transfer of technology between the various countries was facilitated. His Government joined in appealing for prompt signing or ratification of the Convention on Nuclear Safety; Mexico would soon be depositing its instrument of ratification thereto.

40. The question of nuclear waste management was also a matter of concern and work should shortly commence on the definition of the terms of a convention on safety in radioactive waste management which should cover the products of military installations and not be limited to reactors for civilian use. That subject was receiving increasing attention from Governments and public opinion because of the potential indiscriminate risks involved for civilian society. Given its global character, it would be appropriate to hold prior consultations among the Governments concerned, especially in cases where there were plans to dump radioactive materials in areas close to frontiers.

41. It was important to emphasize that, in addition to nuclear reactors for the production of electrical power, many economic and social development projects, particularly in the areas of public health and environmental protection, required international support which would permit not only the unrestricted transfer of technology but also a reduction in costs that would facilitate increasing access to the benefits for the greatest possible number of countries. Such uses provided many of the keys to success in the fight against extreme poverty.

42. The area of legal codification with regard to nuclear development was a broad and complex one and should be approached in a constructive and methodical manner, taking advantage of the experience and methods of work offered by IAEA. His delegation, which believed that there was a relationship of interdependency and balance between all the provisions of the Treaty, had prepared a position paper (NPT/CONF.1995/23) containing suggestions which it felt might be useful for the purposes of the Conference.

43. Mr. CHOI (Republic of Korea) said that the Treaty on the Non-Proliferation of Nuclear Weapons had provided a framework of confidence within which peaceful uses of nuclear energy could be developed, and acknowledged the crucial role which IAEA had played in promoting such uses. The Republic of Korea believed that the nuclear power programme was indispensable to sustainable development and it was prepared to participate in the promotion of international cooperation for the peaceful uses of nuclear energy, as was demonstrated by its contributions to IAEA programmes and the courses and workshops on various subjects organized with a view to sharing experience with the developing countries.

44. Public acceptance of nuclear energy was essential to the promotion of its peaceful uses, and the safety factor was central in that regard. Given the enormous potential of nuclear energy as an alternative to fossil fuels and its contribution to the reduction of $CO^2$ emissions, easing public anxiety about nuclear safety was a key issue. That required the application of stricter

safety standards and the effective use of the technical know-how of IAEA. It was to be hoped that international nuclear safety could be effectively enhanced by the Convention on Nuclear Safety, which established international standards for the safety of nuclear power plants.

45. Another issue of vital importance to the promotion of the peaceful uses of nuclear energy was radioactive waste management, given its implications for human health and the environment. In that regard, he welcomed the safety standards adopted by the Board of Governors of IAEA and the preparatory work which had been done by the secretariat of IAEA on the convention on the safety of radioactive waste management, which it hoped would soon be concluded.

46. With regard to the argument that export controls could impede the development of peaceful uses of nuclear energy in developing countries, he recognized that those controls had a complementary role in the attainment of the objectives of non-proliferation. The concerns of some developing countries on that issue should, however, be addressed in one way or another. In that connection, it was important that the actions of the Zangger Committee and the Nuclear Suppliers Group should remain open and transparent.

47. The Republic of Korea supported the concept of giving preference to non-nuclear-weapon States parties to the Treaty which had concluded full-scope safeguards agreements with IAEA in respect of all activities relating to the peaceful uses of nuclear energy. More specifically, countries which had advanced nuclear technology should step up cooperation with States parties to the Treaty in such areas as the transfer of key nuclear technology and the supply of fuel cycle services.

48. Discussions were under way between the United States and North Korea concerning the provision of light-water nuclear reactors to the latter under the Agreed Framework between the two countries signed in October 1994. That project would be implemented to promote the peaceful use of nuclear energy in North Korea by replacing graphite-moderated reactors with light-water nuclear reactors, on the condition that North Korea remained a party to the Non-Proliferation Treaty and complied with its undertaking under the full-scope safeguards agreement. It was to be hoped that that project would give an impetus to the strengthening of cooperation between North Korea and South Korea in the peaceful uses of nuclear energy, and would ultimately lay the foundation for the implementation of the Joint Declaration on the Denuclearization of the Korean Peninsula.

49. Mr. TATAH (Algeria) said that nuclear technology had reached the stage of maturity throughout the world both in its development proper and in its use for the benefit of the economy and the population. Humanity could not stop its progress in the nuclear sphere and must therefore strengthen the role of IAEA in the promotion of peaceful uses of nuclear energy. The activities of IAEA relating to safeguards and control over the exclusively peaceful use of the atom must be strengthened in accordance with the objectives of non-proliferation, but not to the detriment of the Technical Assistance and Cooperation Programme of IAEA, which should remain its principal mission. There should be a balance between the activities of IAEA as a whole, particularly between those in the sphere of safeguards and those relating to technical cooperation. The Agency

should show itself receptive to the legitimate demands of the developing countries which wanted to see activities relating to technical assistance and the transfer of technology strengthened in order to promote and expand the peaceful uses of nuclear energy in the service of peace and the well-being of all peoples.

50. The cooperation of IAEA had had a positive impact on the Algerian population, society and the environment in various sectors of economic and social development such as health, agriculture, hydrology and industry. Practices relating to protection against radiation and nuclear safety, which in Algeria were considered prior to any nuclear activity, had been promoted with the help of the Agency both in the establishment of regulations and in the application of procedures. Algeria also attached great importance to the activities coordinated by IAEA in the field of radioactive waste management, food irradiation and the economic production of fresh water through nuclear desalination. In the context of the exploitation of its uranium resources, Algeria also proposed to use nuclear technology to meet its energy needs at the appropriate time when conditions made it economically viable to use such technology as opposed to other methods. Those examples showed the importance which Algeria attached to the peaceful use of the atom and the strengthening of technical cooperation. It was to be hoped that IAEA and the international community would continue to encourage cooperation through increased assistance and a genuine transfer of technology between States.

51. Mr. BAER (Switzerland) said that Switzerland depended greatly on nuclear energy and at the same time was an importer and exporter of that technology. It was therefore in favour of the extension of the Treaty, which was the only international instrument which guaranteed the inalienable right to develop research, production and the use of nuclear energy for peaceful purposes. That included the right to choose the type of nuclear fuel cycle which was best adapted to the needs and priorities of each country. The negation of that right would undermine the IAEA safeguards system, the object of which was to prevent the non-nuclear-weapon States from using nuclear energy for non-peaceful purposes. That right was offset by a duty: to guarantee at all times and in all places the physical protection of nuclear materials. There were many countries which fulfilled that obligation, as could be seen by the fact that the illegal traffic in nuclear materials had not reached the dimensions that were expected at the outset.

52. The inalienable right of developing the use of nuclear energy for peaceful purposes must be exercised with all the necessary precautions to ensure the safety of nuclear installations. Such precautions were in the interest of all States. The International Convention on Nuclear Safety was therefore a first stage in the task of establishing an international nuclear safety regime which was to be applied to all nuclear installations, whatever their nature. Switzerland would ratify the Convention as soon as possible.

53. One of the most important aspects of article IV of the Treaty was the obligation it established to facilitate the international exchange of equipment, materials and information for the peaceful uses of nuclear energy. Switzerland was fulfilling that obligation through its annual contributions to the IAEA Fund and through its participation in the financing of activities designed to improve

the safety of old reactors of the Soviet type, among other activities. Sometimes Switzerland had been accused of applying the Treaty provisions unfairly and of not recognizing the right of the parties to have free access to nuclear energy for peaceful purposes. In fact, in view of its experience, Switzerland had to adopt specific precautions; hence, it only engaged in the transfer of nuclear material when it was convinced that the non-proliferation obligations imposed by the Treaty were respected.

54. Mr. MINTY (South Africa) said that his country was committed to the non-proliferation of weapons of mass destruction. To implement that policy, South Africa had dismantled an existing nuclear-weapons programme before becoming a State party to the Treaty; it had adopted a law and established a council for controlling the use, export and transit of all dual-use equipment and technology; it had promulgated a law prohibiting both horizontal and vertical nuclear proliferation; it had played an active role in the negotiations for a nuclear-weapon-free zone in Africa; it had applied for membership in the Conference on Disarmament and the Missile Technology Control Regime; it was a signatory of the Chemical Weapons Convention; it had joined the Zangger Committee and more recently the Nuclear Suppliers Group; and, as a non-aligned country and a developing country with an advanced nuclear industry, South Africa not only encouraged a policy of non-proliferation but also considered that non-proliferation controls should not prevent the developing countries from gaining access to the advanced technologies they required for their development.

55. At the Conference the South African Foreign Minister had put forward several proposals for strengthening the NPT review process. He had made those proposals because of the failure to implement fully the disarmament provisions of the Treaty by totally eliminating the arsenals of the nuclear-weapon States; to provide the non-nuclear-weapon States with effective security assurances; and to ensure the unencumbered transfer of peaceful nuclear technology.

56. As the Minister had stated, South Africa favoured the exchange of technology for the peaceful uses of nuclear energy between the developed and developing world. South Africa was therefore participating in the IAEA's Technical Cooperation Programme and recognized the importance of the concept of sustainable development as a guiding principle for all peaceful uses of nuclear energy. At the IAEA's Board of Governor's meeting in March 1995 South Africa had supported the establishment of a Standing Advisory Group on Technical Assistance and Cooperation (SAGTAC). South Africa also believed that SAGTAC could usefully convene a meeting of all interested parties, particularly the developing countries, for a discussion of specific problem areas in the field of nuclear technology transfer. South Africa, with its extensive infrastructure, had further pledged to participate actively in the African Regional Cooperative Agreement for Research, Development and Training related to Nuclear Science and Technology. South Africa would like to see greater levels of involvement on the part of the developed world in the transfer of peaceful nuclear technologies to the developing world, especially to Africa.

57. Mr. RAJA ADNAN (Malaysia) said that his country was a non-nuclear weapon State and like the vast majority of the States parties had no intention of changing that status. Malaysia, having signed a safeguard agreement, called upon all States parties which had not done so to conclude an agreement of that

kind immediately. Malaysia also urged all nuclear-weapon States parties to accept voluntarily international monitoring and verification of their nuclear material and activities for peaceful purposes. Such a step could further boost confidence among States parties to the Treaty. Although Malaysia accepted the importance of a strengthened safeguards system, it was also important that a balance be struck between promotional and regulatory activities and that included the issue of their financing.

58. Malaysia's programme of nuclear science and technology was focused on programmes and projects that were sustainable and end-user oriented, creating an impact on national socio-economic development and having an adequate infrastructure for its safe implementation. Besides the technical assistance and cooperation of the IAEA, Malaysia participated in the Regional Cooperation Agreement and in other direct bilateral technical cooperation programmes, notably of Japan and Australia. Malaysia had pledged and paid its assessed contribution in a full and timely manner. It called upon the other Member States to do likewise. He regretted that there had been a decline in financial contributions to the Fund and that some industrialized Member States had failed to make any pledges whatsoever.

59. Article IV of the Treaty spoke not of "assistance" per se but of commitment of States parties to exchange and cooperate in order to facilitate the transfer of technology. The relationship between articles III and IV was most important in providing a sound basis for international cooperation. Malaysia therefore urged that the Conference should redouble its efforts towards international nuclear trade for peaceful purposes and facilitate the transfer of technology and technical cooperation in peaceful applications among States parties.

60. Some States parties had suggested that export controls might be exercised in a discriminatory manner against some States parties and therefore would hamper their development. So far, Malaysia had had no experience of such discrimination but it was imperative that the Conference should institute a forum to address such complaints. Those issues would have implications not only on nuclear related activities but also on non-nuclear-related activities in the future. The Conference should reaffirm that the States parties had full rights to participate in the exchange of technology for peaceful uses of nuclear energy without discrimination and those in a position to do so should reaffirm their undertaking to contribute to the development of the peaceful applications of nuclear energy. Malaysia urged that the Conference should take note of the special needs of the least developed States parties.

61. Mr. LUCK (Australia) said that article IV of the Treaty established an undertaking to facilitate cooperation consistent with the basic obligations of non-proliferation set out in articles I and II and the verification and supply provisions of article III. In other words, peaceful nuclear activities and cooperation could not occur in isolation. The way in which States parties implemented the provisions of article IV must respond to the interests and concerns of Governments and peoples about the security, economic and environmental dimensions of peaceful nuclear activity. The Conference should reaffirm those basic principles as well as the principle of giving preferential treatment to States parties in the area of cooperation.

62. The Asia-Pacific region provided an example of the benefits of nuclear cooperation made possible by the Treaty at the multilateral, regional and bilateral levels, and of the way in which the Treaty had underpinned regional security and economic prosperity, facilitated nuclear cooperation and trade, contained proliferation and provided an environment of confidence and security, which were essential for countries embarking on long-term and costly investments in peaceful nuclear programmes.

63. IAEA technical assistance programmes had facilitated the access of developing countries to the benefits of nuclear technology by means that included the provision of infrastructure and the transfer of technology. Those programmes had undergone a number of changes in recent years, as IAEA was conscious of the increasing global competition for development cooperation funding and of the need for Agency programmes to remain relevant to the evolving needs of recipient countries. The introduction of the model project concept was an excellent example of the Agency's capacity to respond to the changing global environment.

64. Australia, too, was concerned with ensuring that nuclear cooperation activities continued to attract an appropriate share of available funding and was working closely with IAEA to develop a more strategic approach in that area. It therefore welcomed the statement by the Director-General of the Agency that those ideas would be incorporated in the global strategy of the Department of Technical Cooperation, and especially the emphasis he had placed on the importance of a strategic approach to such issues as women in development, poverty alleviation, and the environment and sustainable development.

65. The Conference should welcome the gains achieved in the efficiency and effectiveness of the Agency's technical cooperation programme and should seek to ensure its continued relevance to the evolving needs of member States. The special needs of the least developed countries that were parties to the Treaty should also be acknowledged. The Agency's ability to respond to the interests of member States was constrained by the failure of many of them, both developed and developing countries, to contribute fully to the Technical Assistance and Cooperation Fund. Australia believed that it had contributed its due and hoped that other countries would do likewise, since it firmly believed that IAEA should have the financial and human resources it needed to meet its objectives, a principle which the Conference should strongly endorse.

66. It had been said that technology transfers had been inadequate as a result of a conspiracy or cartel among nuclear suppliers. That was evidently not the case; such transfers were a key element of nuclear cooperation activities, and many of the countries represented on the Committee had been recipients of some form of nuclear technology. All countries, whether suppliers or recipients, wished to be assured that their cooperation would be used exclusively for peaceful purposes and that there was no risk of proliferation of nuclear weapons. To that end, they had endeavoured to meet one of their basic obligations under the Treaty by establishing export licensing arrangements, which did not constitute an impediment to cooperation but were intended to create an environment of confidence conducive to such cooperation. There were many reasons why the use of nuclear technology was not more widespread: the economic priorities and development needs of countries, the availability of less

costly alternative sources of energy, the cost of developing infrastructure to support nuclear activities, the capacity of countries' educational, scientific and industrial bases to absorb and utilize that technology, and the availability of international financing. Public perceptions were also crucial in determining levels of nuclear activity.

67. His delegation believed that the Conference should welcome the conclusion of the Convention on Nuclear Safety and should ask the diplomatic conference scheduled for early 1996 for a satisfactory international agreement aimed at the establishment of a credible civil international nuclear liability regime with adequate compensation levels. The Conference should endorse both the Agency's call for the early preparation of a waste management safety convention and its work in that field. The Conference should also call upon States to adhere to the strict application of international safety standards in the transport of nuclear material.

68. Australia, which had significant nuclear science and technology research capacities, attached importance to human resource development and offered facilities and courses for training in many areas. From 1970 to 1995 the proportion of all IAEA and UNDP trainees receiving nuclear-related training in Australia had quadrupled.

69. While the overall record in respect of compliance with article IV was a good one, there was still room for improvement. As for article V, it had long been accepted that nuclear weapons could not be distinguished from peaceful nuclear explosives. His delegation proposed that the Conference should agree that the potential benefits of the peaceful applications of nuclear explosions had not been demonstrated, that serious concerns existed with regard to the environmental consequences of such applications, and that IAEA had received no requests for services related to the peaceful applications of nuclear explosions since the entry into force of the Treaty. That was hardly surprising in the light of the experience of nuclear testing and the Chernobyl accident. Accordingly, the Conference ought to recommend to the Conference on Disarmament that it should take those factors into account in its negotiations on a comprehensive test-ban treaty. It should also note that a ban on all kinds of nuclear explosions should not be detrimental to the peaceful utilization of nuclear energy.

The meeting rose at 1.10 p.m.